

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

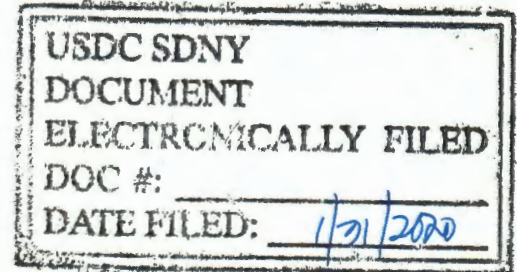
Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

January 30, 2020

BY ECF

Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Garrett Kelsey
19 Cr. 886 (SHS)



Dear Judge Stein:

MEMO ENDORSED

I write concerning the status conference scheduled for Monday, February 3, 2020, at 4:30 p.m. in the above-captioned case. As contemplated when we last appeared before the Court on December 20, 2019, I respectfully seek the Court's leave to waive Garrett Kelsey's appearance at this status conference pursuant to Federal Rule of Criminal Procedure 43(b)(3), which provides that a defendant need not be present for a proceeding involving "only a conference or hearing on a question of law." Mr. Kelsey lives in Cedar Rapids, Iowa, and would require financial assistance at the Court's direction to attend this pre-trial conference. Because this conference has been scheduled to deal only with procedural matters, Mr. Kelsey's appearance is unnecessary under Rule 43 and would otherwise result in an inefficient use of public resources. I have contacted Assistant United States Attorney Stephanie Lake about my request, and note that the government does not object. Thank you in advance for your consideration.

Respectfully Submitted,

/s/

Andrew J. Dalack
Assistant Federal Defender
(212) 417-8768

Cc (by ECF): AUSA Stephanie L. Lake

SO ORDERED 1/30/2020

A handwritten signature in black ink, appearing to read "Sidney H. Stein".

SIDNEY H. STEIN
U.S.D.J.